

INTERVIEW SUMMARY

Applicants thank the Examiner for conducting a telephone interview with the Applicants' representative on October 8, 2009. A summary of the interview is reflected in the following remarks.

On page 3 of the September 4, 2009 Office Action, the Examiner noted that all pending claims were allowable over the prior art of record. On October 8, 2009, Applicants' representative interviewed the Examiner to ascertain which claims were actually allowed. The Examiner confirmed that claims 1-3, 5, 7-11 and 13-17, as well as claims 29-31 were allowed, and required no further amendment to distinguish over the prior art of record. The Examiner further stated that, although claims 18-20, 22, 24-28, 33-34, 35-37, 39 and 41-45 were rejected under 35 U.S.C. § 101 as being directed to non-statutory, these claims would also be allowed if amended to direct the claims to statutory subject matter under 35 U.S.C. § 101.

REMARKS

Claims 1-3, 5, 7-11, 13-20, 22, 24-31, 33-37, 39 and 41-45 are pending in the above-identified application.

In the September 4, 2009 Office Action, claims 1-3, 5, 7-11 and 13-17 were allowed and claims 18-20, 22, 24-31, 33-34, 35-37, 39 and 41-45 were rejected, although claims 29-31 were not specifically addressed by the Examiner.

Claims 18, 33, 35, and 39 are hereby amended. No new matter has been added.

35 U.S.C. § 101 Rejection of Claims

Claims 18-20, 22, 24-31, 33-34, 35-37, 39 and 41-45 were rejected under 35 USC § 101 as being purportedly directed to non-statutory subject matter. With respect to claims 18-20, 22, 24-28 and 33-34 (of which claims 18 and 33 are independent), the Office asserted that the system “is directed to software because the system does not express the execution of the means therein.” With respect to claims 35-37, 39 and 41-45 (of which claim 35 is independent), the Office alleges that the claims are directed to non-functional descriptive material recorded on some computer-readable medium. See Office Action of September 4, 2009, at page 2.

The rejections of the claims under 35 USC § 101 are moot in view of the foregoing amendments. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 101 rejection.

Conclusion

In view of the foregoing, Applicants submit that all pending claims are clearly allowable, and respectfully request early and favorable notification to that effect.

If the Examiner believes that, for any reason, direct contact with Applicants' representative would help advance the prosecution of this case to finality, the Examiner is invited to telephone the undersigned at the number given below, for purposes of arranging for a telephonic interview.

Respectfully submitted,

Dated: December 21, 2009

By: /Kathy Takeguchi/
Kathy Takeguchi
Registration No. 55,988
SONNENSCHNEIN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000